

EXHIBIT D

Deposition of Terri Pechner-James
June 7, 2006

Pages 1561 – 1563

14 Q. Okay. So a moment ago, I read this
15 sentence to you from this paragraph, the
16 paragraph after the April 4 paragraph, where you
17 indicate you had finally decided that it was
18 getting to be too much on the split shift, and
19 one of the things that was too much was being
20 humiliated in front of others and the public.

21 And so I asked who had humiliated you
22 in front of others and the public, you gave me
23 four names, Santoro, Doherty, Foster and Russo.
24 So I'm just trying to go down that list of names
1 and ask what they had done in connection with
2 this entry in your notes that humiliated you in
3 front of others and the public.

4 I don't think Foster or Russo should
5 be on this list, because Foster wasn't the
6 supervisor for the split shift.

7 A. Okay. Well, your question I guess was
8 very broad, because it just seemed to me that you
9 were --

10 Q. It's tied directly to this note.

11 A. But there's no date on that. I don't
12 have a date, I finally decided to -- so there's
13 no date on there, and when you just asked that
14 question, maybe madam reporter can read back to
15 where I got confused.

16 Q. Okay. We've established though that
17 this note is chronologically between April 4 of
18 '99 and July 5 of '99. As of April 4 of '99, you
19 were still working the split shift, correct?

20 A. Right.

21 Q. As of July 5, '99, you had moved onto
22 the evening shift where Lieutenant Bernard Foster
23 was in charge.

24 A. To me, maybe with all the dates, I'm
1 getting very confused. If you ask me an incident
2 and ask me what happened -- I'm confused here.
3 So maybe we should just call it because --

4 MR. PORR: Okay, then we'll do that.

5 We can go off the record.

6 (The deposition suspended at 4:44.)